

NOT FOR PUBLICATION

CLOSED

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TOWNSHIP OF SADDLE BROOK,

Plaintiff,

v.

UNITED STATES OF AMERICA et al.,

Defendants.

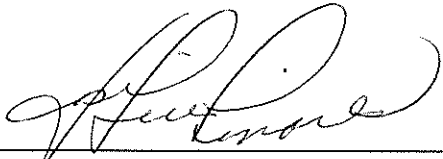
Civil Action No.: 09-2373 (JLL)

ORDER

Currently before the Court is a motion to dismiss Plaintiff's Complaint filed by Defendants the United States of America and the United States Army Corps of Engineers. For the reasons set forth in this Court's corresponding Opinion,

It is on this 19th day of January, 2010,

ORDERED that Defendants' motion to dismiss Plaintiff's Complaint (CM/ECF No. 19) is GRANTED in part and DENIED in part. Plaintiff's negligence claim against the Government, Count 1, is dismissed without prejudice for failure to exhaust administrative remedies, and Plaintiff's contract claims against the Government, Counts 2 and 4, are transferred to the United States Court of Federal Claims.



JOSE L. LINARES
UNITED STATES DISTRICT JUDGE